

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GWEN, Patrick

SERIAL NO.: 10/698,006

ART UNIT: 3732

FILED: October 30, 2003

EXAMINER: Willatt, S.L.

TITLE: FLOSSER APPARATUS WITH DETACHABLE AND POSITIONABLE FLOSS  
ELEMENT

SUPPLEMENTAL AMENDMENT "A"

Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of February 9, 2005, a response being due by May 9, 2005, and in response to an advisory communication of a non-compliant amendment, having a response being due by July 10, 2005, please amend the above-identified application as presented and consider the following remarks:

REMARKS

Applicant respectfully submits the present Supplemental Amendment "A" in a revised format in response to the Notice of Non-Compliant Amendment of June 10, 2005. The Examiner indicated that the format of the Amendment should comply with 37 C.F.R. § 1.121. Applicant respectfully contends that the present amendment is now in compliance with the required amendment practice, including the properly numbered claims. Importantly, Claim 35 was only mislabeled as Claim 39. This new format of Supplemental Amendment "A" and the references to Claim 35 are now in the proper condition for consideration. The discussion of the claims and the re-numbering has been

amended to correct for the mis-labeling. Furthermore, the present supplemental amendment has been filed before expiration of the shortened statutory period for response such that a fee for extension of time is not currently due.

Upon entry of the present amendments, previous Claims 1 - 18 have been canceled and new Claims 19 - 35 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it was indicated that Claims 1 - 4, 9 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Zambito patent in view of the Page patent. Claims 14 - 17 were objected to because of an informality. Claim 18 was indicated as allowed. Claims 14 - 17 were indicated as being allowable if rewritten or amended so as to overcome the informality objection. Claims 5 - 8 and 10 - 12 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Although Applicant respectfully disagrees with the Examiner with respect to the prior art rejections, Applicant is desirous of securing patent protection for the present invention at an early date. As such, Applicant has placed those "objected to" claims into a properly allowable form so as to secure an early Notice of Allowance for this application.

In particular, new independent Claim 19 incorporates the limitations of previous independent Claim 1, along with the limitations of objected-to Claim 5. As such, Claim 19 should be in a proper condition for allowance. Dependent Claims 20 - 22 reflect the limitations, respectively, of original

dependent Claims 2 - 4. Dependent Claims 23 - 26 reflect, respectively, the limitations of previous dependent Claims 6 - 9.

New independent Claim 27 incorporates the limitations of previous independent Claim 1, along with the limitations of objected-to Claim 10 and intervening Claim 9. As such, independent Claim 27 should be in a proper condition for allowance. Dependent Claims 28 - 30 reflect the limitations, respectively, of original dependent Claims 11 through 13.

Independent Claim 31 reflects the limitations of objected-to Claim 14. The language found in independent Claim 31 utilizes the proper term “said slot” instead of the previous term “said slots”. Dependent Claims 32 - 34 reflects the limitations, respectively, of original dependent Claims 15 - 17.

Previously allowed Claim 18 has been rewritten herein in the form of new independent Claim 35. New independent Claim 35 identically recites the limitations found in previous independent Claim 18.

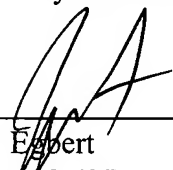
Based upon the foregoing analysis, Applicant contends that independent Claims 19, 27, 31 and 35 are now in proper condition for allowance. Those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since one new independent claim has been added above those originally paid for, an additional fee of \$100 is enclosed herewith.

Respectfully submitted,

Date

6-24-05

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